

**IN THE COURT OF APPEALS OF TENNESSEE
AT NASHVILLE**

FILED January 16, 1998 Cecil W. Crowson Appellate Court Clerk

JODY TRISTAN SMILEY,)	
and BEVERLY J. SIMPSON,)	
)	
Plaintiffs/Appellants)	Davidson Juvenile
)	No. 9619-17777
VS.)	
)	Appeal No.
STACY MARCY WALKER HANNAH,)	01A01-9704-JV-00164
)	
Defendant/Appellee.)	

CONCURRING OPINION

I concur with the results of the court’s opinion in this case but file this separate opinion to address the court’s concern that the record and the briefs do not explain why the child’s surname is “Walker.” While this concern is not germane to any of the issues on this appeal, the record contains the explanation the court is seeking. Stacy March Hannah’s maiden name is “Walker.” Because she was unmarried when her son was born, Tenn. Code Ann. § 68-3-305(b)(1) (Supp. 1997) required that the boy be given his mother’s surname.

WILLIAM C. KOCH, JR., JUDGE